

# Byron L. Dorgan

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## **DORGAN SAYS CANDY BAR DISPUTE IS NOT YET SETTLED, BUT HE THINKS COMMON SENSE WILL PREVAIL**

(WASHINGTON, D.C.) — U.S. Senator Byron Dorgan (D-ND) said Thursday that although the dispute is not yet settled, he thinks "common sense will prevail," after participating in a conference call he arranged between the CEO of the company that manufactures the nationally distributed Clark Bar candy bar and Debbie Kruger of Mandan, who markets the "Lewis and Clark" bar in North Dakota and other areas along the route Lewis and Clark explored nearly 200 years ago.

"The issue isn't yet finally resolved, but I think common sense is going to prevail in the end," Dorgan said following the call. "Dominic Antonellis, the CEO of NECCO, conceded that they will withdraw their demand that Debbie Kruger turn the trademark registration for her candy bar over to his company and said his company will not interfere with Kruger's current marketing of the 'Lewis and Clark Bar' in North Dakota.

"Debbie Kruger also intends to continue marketing her 'Lewis and Clark Bar' outside North Dakota along the Lewis and Clark Trail and I believe she has every right to do so," Dorgan said. Antonellis plans to reconsider his concerns about that aspect and get back to her soon.

"Debbie Kruger's product has not infringed on any property rights of the NECCO company and therefore they have no basis for interfering with any marketing efforts by her small candy company in Mandan," Dorgan added. "My office has received calls from attorneys who offered to handle the legal work for Debbie's company on a pro bono basis if NECCO persists. But I expect after the CEO of NECCO considers this, he will send his lawyers in pursuit of more productive work."

"I'm not normally involved in disputes between two businesses, but I don't think it's fair for small businesses to be pushed around by lawyers and the big corporations who employ them, especially in circumstances where there's no basis at all for their complaint," Dorgan said.

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